

# MINORITY REPORT

OF THE

# SPECIAL COMMITTEE

*To Investigate the Affairs of the Navy Department.*

Concurring mainly with the report of the majority of the committee, I tender this, my separate report, upon the matters of difference between us.

I am compelled, in justice to the Secretary of the Treasury, to say that neither the evidence before the committee, nor the correspondence between that officer and the Secretary of the Navy, prove that the former is responsible for the delays in the payments of the claims against the Navy Department in New Orleans. The embarrassments of that Department there, were the result of the action of Congress, which provided no means to pay appropriations, other than Treasury bonds and notes, in the proportions of four and a half of the former to one of the latter. The notes were nearly all required for the wants of the army, in providing food, clothing, &c., &c., which are chiefly obtained by cash payments, and it was even difficult to print them as fast as they were needed. The arguments of the Secretary of the Navy are conclusive as to the necessity of payments in New Orleans in Treasury notes, to facilitate the labor upon the works then going on there, but do not remove the difficulty over which neither he nor the Secretary of the Treasury had any control, for he admits, in his letter to the President, at page 348, that he has repeatedly brought the subject to the attention of the Secretary of the Treasury, and invoked prompt payment, though he has felt *that with his limited power to produce Treasury notes, and, under the rule adopted, giving priority to certain disbursements of the army, he was powerless to correct the evil.*

Again, in his letter to Mr. Memminger, page 344, January 15th, 1862: "Your letter of the 14th instant explaining your inability to furnish small notes to the disbursing agents of this department in New Orleans has been received, and I appreciate all the difficulties in the way of complying with my suggestion."

As regards the destruction of the war-steamer *Mississippi*, the evidence shows, that it was the opinion of the officers of the navy at New Orleans, (and the generally received opinion of naval officers,) that ships of war propelled by steam could pass land batteries; that the bombardment of Forts Jackson and St. Philip had been going on for more than ten days before the morning of the 24th of April, 1862; that the "*Mississippi*" was, therefore, in constant danger at New Orleans from the moment the forts were attacked; yet, notwithstanding this state of things, there were only two engaged by the Messrs. Tifts on the 17th and the 18th to assist in launching the steamer, (and possibly to take her up the river should the enemy's ships pass the forts.) It is not shown that there were *no other boats* in the port of New Orleans, for a week preceding the coming of the enemy, nor that other boats could not have been obtained had proper measures been taken in time. It is very evident that on the morning of the 24th of April it was too late to attempt to secure any other boats; the *Hartford* and other war vessels of the enemy had passed the forts below that morning, and it is easy to conceive the excitement which must have prevailed on that day in the doomed city. On that day, says Captain St. Clair, "I employed the *Peytona* and the *St. Charles*, through the Messrs. Tifts, the only two vessels *then available*. There was great confusion in the city. No attempt was made at any time *before the 24th of April* to secure more than two boats." In his opinion it would have required "three or four steamers to have taken the *Mississippi* up the river." Nor were any inquiries made, during the ten days' bombardment, to ascertain if there were any places of safety outside of New Orleans and along the river above, where she could have been taken. (See testimony of Captain St. Clair and ——— Tift, pages 62, 63, 64, 67, 68, and 115.) It would appear from this evidence that no due diligence was used to save that ship by those who had her in custody. Is Mr. Mallory responsible for her loss, when he was here, thirteen hundred miles from New Orleans, having necessarily but an imperfect knowledge of the real condition of affairs in that port during the period of the bombardment, when all information could only then be obtained by telegrams? Was he to undertake, under such circumstances, to have directed the removal of the ship, when he had her future commander, the commander of the station, and his trusted friends and agents—the Messrs. Tifts—at New Orleans at that time? It seems, however, that Captain Whittle, as commander of the station, in the interpretation of his powers as such, distrusted his authority over that ship, as he had no control of "anything afloat that did not appertain to repairs;" and it was only at the last hour that he took upon himself to order Captain St. Clair to save her if he could, and if not, to destroy her.

In justice to these parties, I must not omit, in conclusion, to say, (however unaccountable it may *now* appear to us,) that, notwithstanding the opinion of the officers of the navy, already referred to, and the fact that there were twenty-seven vessels in sight of the forts on the 15th of April, "preparing a formidable attack upon them," there

seemed to be an entire confidence on the part of the officers commanding these forts in their ability to defend them successfully: so much so, that even to the last moment, on the evening of the 23d of April, they sent to the city the most encouraging news, which must have had the effect to allay all fears, and, unfortunately, to allay the taking of measures for the safety of the Mississippi. These are the facts concerning the loss of that vessel, and the House can draw its own conclusions. I could not do less in the discharge of my duty as a member of this committee than thus specifically to refer to them.

LUCIUS J. DUPRE.

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The undersigned would be highly gratified were it in his power *conscientiously* to concur in the report of the majority. He agrees with them in the opinion that there would be no propriety in recommending to Congress the adoption of a formal resolution of *censure* upon Mr. Mallory's conduct as Secretary of the Navy, nor is he able to perceive that any special advantage would accrue from such action on the part of Congress.

The undersigned has never called in question Mr. Mallory's integrity, patriotism, and general good intentions. But he is still of opinion that his appointment to the Department of the Navy was eminently unfortunate for the Confederate cause, and he has yet to encounter testimony of a nature to show that Mr. Mallory has, in any considerable degree, those peculiar qualifications which would be requisite for the successful discharge of the duties which, as Secretary of the Navy, he is called to perform.

The undersigned is not disposed to go, at this late period, into a specification of the grounds upon which his judgment of Mr. Mallory's official merits is based. He is content with having frankly stated his own opinion upon this subject, and could almost desire that the more favorable judgment of the majority of the committee may be adopted by the country, as it is most absolutely certain that he will retain the official position which he holds until the termination of the present war, and it could not prove otherwise than advantageous to the Confederate cause, if he, who is of necessity to be Secretary of the Navy, can be secured a very large share of the public confidence.

H. S. FOOTE,  
*Chairman of the Committee of the House.*